04-03-01 A

jc966 U.S. PTO 04/02/01

Please type a plus sign (+) inside this box → [+]

PTO/SB/05 (4/98)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R § 1.53(b))

Attorney Docket No.	6024.US.C1
First Inventor or Application Identifier	Jean-Marc Roch, et al.
Title	HUMAN ENDOSULFINE GENE
Express Mail Label No.	EL 507386273 US

jc903 U.S. PTO 09/827170 04/02/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

1. [X] * Fee Transmittal Form *(e.g., PTO/SB/17)* *(Submit an original and a duplicate for fee processing)*
2. [X] Specification [Total Pages 63] *(preferred arrangement set forth below)*
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. [X] Drawing(s) *(35 U.S.C. 113)* [Total Sheets 8]
4. Oath or Declaration [Total Pages 3]
 a. [] Newly executed (original or copy)
 b. [X] Copy from a prior application (37 C.F.R. § 1.63(d)) *(for continuation/divisional with Box 16 completed)*
 i. [] DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

NOTE FOR ITEMS 1 & 13 IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

5. [] Microfiche Computer Program *(Appendix)*
6. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
 a. [] Computer Readable Copy
 b. [X] Paper Copy (identical to computer copy)
 c. [X] Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. [] Assignment Papers (cover sheet & document(s))
8. [] 37 C.F.R.§3.73(b) Statement *(when there is an assignee)* [X] Power of Attorney
9. [] English Translation Document *(if applicable)*
10. [] Information Disclosure Statement (IDS)/PTO-1449 [] Copies of IDS Citations
11. [X] Preliminary Amendment
12. [X] Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
13. [] * Small Entity Statement(s) *(PTO/SB/09-12)* [] Statement filed in prior application Status still proper and desired
14. [] Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
15. [X] Other: Attachment to Preliminary Amendment

16. **If a CONTINUING APPLICATION,** *check appropriate box, and supply the requisite information below and in a preliminary amendment:*

[X] Continuation [] Divisional [] Continuation-in-part (CIP) of prior application No 08/779,775

Prior application information: Examiner M. Pak Group / Art Unit: 1646

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

[] *Customer Number or Bar Code Label* *(Insert Customer No. or Attach bar code label here)* or [] *Correspondence address below*

Name	Steven F. Weinstock Abbott Laboratories				
Address	Department 377 / AP6D-2 100 Abbott Park Road				
City	Abbott Park	State	IL	Zip Code	60064-6050
Country	USA	Telephone	(847) 938-3137	Fax	(847) 938-2623

Name (Print/Type)	Dianne Casuto	Registration No. (Attorney/Agent)	40,943
Signature	Dianne Casuto	Date	April 2, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete Time will vary depending upon the needs of the individual case Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

PTO/SB/17 (2/98)
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FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.
These are the fees effective October 1, 1997
Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R §§1.27 and 1.28

TOTAL AMOUNT OF PAYMENT ($) 1,390.00

Complete if Known	
Application Number	Continuation of 08/779,775
Filing Date	April 2, 2001
First Named Inventor	Jean-Marc Roch, et al.
Examiner Name	(not yet assigned)
Group / Art Unit	(not yet assigned)
Attorney Docket No.	6024.US.C1

METHOD OF PAYMENT (check one)

1. [X] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 01-0025
Deposit Account Name: Abbott Laboratories

[X] Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.16 and 1.17
[] Charge the Issue Fee Set in 37 C.F.R. §1.18 at the Mailing of the Notice of Allowance

2. [] **Payment Enclosed:**
[] Check [] Money Order [] Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
101	790	201	395	Utility filing fee	710.00
106	330	206	165	Design filing fee	
107	540	207	270	Plant filing fee	
108	790	208	395	Reissue filing fee	
114	150	214	75	Provisional filing fee	
				SUBTOTAL (1)	($) 710.00

2. EXTRA CLAIM FEES

		Extra Claims		Fee from below		Fee Paid
Total Claims	40 -20** =	20	X	18.00	=	360.00
Independent Claims	7 - 3** =	4	X	80.00	=	320.00
Multiple Dependent					=	

**or number previously paid, if greater, For Reissues, see below

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
103	22	203	11	Claims in excess of 20
102	82	202	41	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	82	209	41	** Reissue independent claims over original patent
110	22	210	11	** Reissue claims in excess of 20 and over original patent
				SUBTOTAL (2) ($) 680.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	950	217	475	Extension for reply within third month	
118	1,510	218	755	Extension for reply within fourth month	
128	2,060	228	1,030	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,320	241	660	Petition to revive - unintentional	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	
				Other fee (specify) _____	
				Other fee (specify) _____	
				SUBTOTAL (3)	($) 0

*Reduced by Basic Filing Fee Paid

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Dianne Casuto			Reg. Number	40,943
Signature	Dianne Casuto	Date	April 2, 2001	Deposit Account User ID	

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

Docket No. 6024.US.C1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jean-Marc Roch, et al.

Serial No.: Continuation of 08/779,775

Filed: April 2, 2001

For: HUMAN ENDOSULFINE GENE

Case No.: 6024.US.C1

Examiner: Not yet assigned

Group Art Unit: Unknown

Date: March 23, 2001

Certificate of Mailing under 37 CFR §1.10:
Express Mail No.: **EL 507386273 US**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as Express Mail Post Office to Addressee Service with sufficient postage in an envelope addressed as follows:

Box Patent Applications
Assistant Commissioner for Patents
Washington, D.C. 20231

Date of Deposit: April 2, 2001

Linda L. Powell

Jc903 U.S. PTO
09/824178
04/02/01

DOCKET NO. 6024.US.C1

REQUEST TO USE COMPUTER READABLE FORM FROM A PRIORITY APPLICATION

Box Patent Applications
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The computer readable form in this application is identical with that submitted in the parent application, U.S. Serial No. 08/779,775, the specification of which was filed on January 7, 1997. In accordance with 37 C.F.R. 1.821(e), Applicants request that the same computer readable form, **which was submitted in the parent application on November 3, 1997,** be used as the computer readable form for the instant application. Applicants understand that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is also submitted herewith. A Statement to Support the filings and submissions in accordance with 37 C.F.R. §1.821-1.825 is also included.

Respectfully submitted,
Jean-Marc Roch, et al.

ABBOTT LABORATORIES
100 Abbott Park Road
D377/AP6D-2
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Dianne Casuto
Registration No. 40,943
Attorney for Applicants

Practitioner's Docket No. 6024.US.P1

PATENT

JC903 U.S. PTO
09/824178
04/02/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marwan A. Fathallah

Filed: April 2, 2001
Serial No.: (Not assigned yet)
Group No.: (Not assigned yet)
Examiner: (Not assigned yet)

Title: **DRUG DELIVERY SYSTEM**

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL 507386273 US
Date of Deposit: April 2, 2001

I hereby state that the following attached papers or fees:

Utility Patent Application Transmittal (1 Page), in duplicate
Fee Transmittal (1 Page), in duplicate
Preliminary Amendment (___ Pages)
Specification (58 pages); Claims (4 pages); Abstract (1 page); **Total: 63 Pages**
Executed Declaration and Power of Attorney (3 Pages), previously submitted
Informal Drawings (8 Pages)
Paper Copy of Sequence Listing (5 Pages)
Statement in Support Filings and Submission in Accordance with CFR §§1.821 through 1.825 (1 Page)
Request to Use Computer Readable Form from a Priority Application (1 Page)
One Return-Receipt Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Linda L. Powell

Linda L. Powell

Signature of Person Mailing Paper and/or Fee